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SUMMARY RECORD OF FIFTH MEETING OF  
QUADRIPARTITE WORKING GROUP ON GERMANY AND BERLIN  
FEBRUARY 11, 1960

Participants:

France

Mr. Winkel

Mr. Manet

Germany

Mr. Krapf

Mr. Oesterheld

United Kingdom

Viscount Hood

Mr. Legan

United States

GER - Mr. Hillenbrand

Mr. McElvane

L/EIR - Mr. Wehmeyer

SOW - Mr. McSweeney

Mr. Dean

Defense - Col. Schofield

Mr. Hillenbrand opened the meeting by suggesting that the Group first turn to the question of a written report to NATO on its activities. Distribution was made of a U.S. draft report to NATO. Mr. Hillenbrand noted that Secretary General Spaak had commented in a recent NATO session on the renewal of threats by Khrushchev of a separate peace treaty with the Soviet Zone regime. Spaak had expressed his understanding of the need for secrecy of Western preparations but had also expressed concern over the apparent lack of progress made by the Working Group on Germany and Berlin. Mr. Hillenbrand suggested that the other participants might wish to consider the U.S. draft and that it could be taken up as the first order of business at a meeting on February 16, which would still leave time for an agreed report to NATO. Mr. Winkel noted that the U.S. draft stated that the Working Group was attempting to isolate and define Western "requirements" for Berlin access and status. He said this was a pragmatic approach which had its own merits but was different in essence from the approach proposed by the French side, which was to isolate or define a set of over-all principles which should govern the status of Berlin and then at the summit to pose these principles as a succinct expression of the Western position to the Soviets. The latter would then be invited to initiate proposals based on these principles. This was the tactic France would like to see followed at the summit. Lord Hood remarked that this was a somewhat different approach than that favored by the U.K., which was first to analyse the requirements of the Berlin situation and then, if

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necessary, to abstract from them a set of principles which might be used as Mr. Winckler suggested. Lord Hood requested that the Group be given time to consider the draft further and it was agreed that a final version of the report to NATO should be discussed in the next meeting on February 16.

Mr. Hillenbrand distributed three U.S. papers: a redraft of the paper on Soviet intentions (II WWD/6.7); a suggested rebuttal to possible Soviet criticism of a Western plebiscite proposal (II WWD/4.2); and the text of the Smirnov letter to Ollenhauer containing Soviet statements as to their intentions in the event of failure to reach agreement on Berlin (II WWD/1.7). Mr. McSweeney noted that the Soviet intentions paper was merely a draft for discussion by the Working Group and that it would have to be updated prior to the summit. Mr. Hillenbrand noted with regard to earlier discussion of the Secretary's proposal (made at Genova) on an all-Berlin solution (II WWD/1.1), that we did not now plan to submit changes designed to eliminate references to the Western Peace Plan in case of isolated use of this proposal in summit negotiations since this was a simple editorial process which could be done at a later point. The question of whether it would be desirable to advance a proposal of this type would have to be determined at a later point in the detailed discussion on Western tactics. He again noted that the proposal should be evaluated essentially as a tactical one since it was not considered that the Soviets would be willing to negotiate on it.

Mr. Kraup submitted a German paper on improvements in communications with Berlin (II WWD/1.8) which he noted contained a draft agreement on improved communications which might be proposed to the Soviets at the summit in accordance with the German view that the proper Western tactic at the summit was to seek elaboration and improvement of the status quo and then, if necessary, to fall back to the Geneva 1959 position. In reply to a question from Mr. Winckler as to when the German papers already submitted could be discussed, Mr. Hillenbrand noted that the U.S. was preparing a paper which would supplement the German paper on the legal ties between Berlin and the Federal Republic. It might then also be appropriate to discuss the German papers on improvement of access on Berlin's legal status.

Mr. Winckler stated that the French side attached great importance to a formal discussion of the papers submitted by Mr. Laloy at an earlier meeting (II WWD/1.2 and II WWD/5.3). Mr. Kraup suggested combining early discussion of the French papers with papers on analyzing the practical requirements of the Western position in Berlin. The Germans were preparing a paper on the latter subject. Mr. Winckler stated that he was quite ready to discuss the subject of defining requirements of the Western position in Berlin, but only after discussion of the French paper containing principles of the Western position. Attempts to define principles and in an effort to isolate practical requirements were two different subjects which should be studied in sequence and separately. Mr. Hillenbrand noted that the basic principles pertaining to the French paper were compatible with

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the Western position in Berlin taken at the 1959 Geneva Conference. He noted, however, that the French statement of principles contained some fairly obvious points and questioned whether a discussion of them at this stage would really be fruitful; after all, the principles existed and we could always turn to them. Mr. Winckler said that it was very important to establish once more that the principles did exist. Mr. Hillenbrand said that we had attempted to combine the French list of principles with our own draft list of practical requirements in Berlin, but that this effort had not been successful since the two lists dealt with the problem at two different levels of generality. It should, however, be possible for the Quadripartite Group to pass on in its report both a statement of principles and a statement of requirements. Mr. Winckler said that this was correct - that they should be stated separately. Mr. Hillenbrand asked whether it was necessary to discuss the second French paper analysing a hypothetical changed status for Berlin or whether it could be accepted by the Group for use at a later stage of the work. Mr. Winckler agreed with the second possibility.

Mr. Hillenbrand suggested that the Group accept the following plan of work for its next meetings: report to NATO; and estimate of Soviet intentions -- Mr. Hillenbrand noted that it was particularly desirable to get some firm views on this subject as a basis for later work in the light of renewal of Soviet threats of a separate peace treaty. He noted that the present draft went beyond the previous one in that it attempted to project a possible course of events on Berlin after the summit. This projection would have an obvious bearing on the Western position at the summit. We could then discuss the German paper on the ties between the Federal Republic and Berlin and on improvement of communications and the French paper on the principles of a Berlin settlement. He suggested that it would not be necessary to discuss the German paper on the role of the U.N. in a Berlin settlement (II WHG/1.6) at this stage of preparation, since the paper contained suggestions more appropriate for consideration at a later time. Mr. Krapf agreed. Mr. Winckler reiterated that the French side would like the views of the other delegations on its statement of principles. Mr. Krapf stated that he was authorised to say the German side was in complete agreement with the French paper on a statement of principles on Berlin.

Mr. Winckler stated that the French had requested their Berlin Commandant to make a report on force requirements in Berlin. He asked what other participants had done. Mr. Hillenbrand and Lord Hood replied that requests for this information had been initiated.

Mr. Krapf noted that the German paper on the legal background of the ties between Berlin and the Federal Republic was intentionally somewhat one-sided and that it attempted to rebut recent increases in Soviet criticism of the relations of the Federal Republic to Berlin. Mr. Winckler said the

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German paper contained useful data not elsewhere collected in one place. He said the links between Berlin and the Federal Republic had developed on a practical basis and that these might be a risk in emphasizing their legal aspects since this could undermine the Four-Power legal position in Berlin. Mr. Hillenbrand noted that there was an area of obvious disagreement between the Federal Republic and the three Western powers on the subject of the relationship between the Federal Republic and Berlin which has existed over the years. It is probable that there never would be a completely agreed position on this subject, but it was important to keep this disagreement "in the family" and not to weaken the Western legal position. Mr. Logan said he assumed the German paper on Berlin-Federal Republic ties was a working paper for the Working Group rather than one intended for the summit participants -- in other words, that it was informational rather than a proposal for summit tactics. Mr. Krapf said that Mr. Logan's assumption was correct. He said the Federal Republic agreed that to depart from the basis of original occupation rights in Berlin would be dangerous. Mr. Winkler noted that he found no reference to a German right of veto over the decisions of the Western powers on Berlin in the German paper such as had been mentioned in the press. Mr. Krapf confirmed that there was no such mention of a right of veto.

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